

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

BERNADETTE M. BIBBER,

Plaintiff,

V.

Case No. 15-4987

NATIONAL BOARD OF OSTEOPATHIC
MEDICAL EXAMINERS, INC.

Defendant.

PLAINTIFF'S DISCLOSURE OF WITNESSES AND EXHIBITS

A. Witness Disclosures

Plaintiff makes the following disclosures, reserving the right to call other witnesses, as needed solely for impeachment purposes. Plaintiff further reserves the right to call any individuals on Defendant's witness disclosure list.

Bernadette M. Bibber
c/o Law Office of Charles Weiner
Cambria Corporate Center
501 Cambria Avenue
Bensalem, PA 19020

James Lawrence Thomas, Ph.D.
19 West 34th Street, Penthouse
New York, NY 10001

Mark Steven Greenberg, Ph.D.
82 Marlborough Street
Boston, MA 02116

B. Exhibit Designations

In addition to the designations made in the annexed [Joint] Exhibits for Exhibit Book, Plaintiff reserves the right to introduce into evidence any admissible documents identified by Defendant and to introduce exhibits as may be necessary for impeachment or rebuttal purposes, or Defendant's Answers to Interrogatories, or demonstrative exhibits.

Date: 4-4-2016

By: _____
Charles Weiner, Esquire
PA Attorney I.D. #52926
LAW OFFICE OF CHARLES WEINER
Cambria Corporate Center
501 Cambria Avenue
Bensalem, PA 19020
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Counsel for Plaintiff

Exhibits For Exhibit Books

Exh.		Description	Date(s)	Bates
1		Bibber's Request for Test Accommodations	Rec'd 2/17/15	NBOME 30-73
2		NBOME Decision (Letter)	4/2/15	NBOME 80-81
3		Freeman Law Office (Letter)	5/6/15	NBOME 82-109
4		KGR Response (Letter)	5/26/15	NBOME 110-114
5		Bibber's Request for Reconsideration (email) Report of Thomas PhD (letter)	6/6/15 6/3/15	NBOME 120-134
6		NBOME Decision (Letter)	6/29/15	NBOME 141
7		Lia Haneke – elementary school (Letter)	7/10/15	Bibber 110
8		Linda Boyd (Letter)	8/24/15	Bibber 32
9		Kennebec Valley Community College (Academic Transcript)	5/15/13	Bibber 117-118
10		Colby College (Official Transcript)	5/27/07	Bibber 114-116
11		College Year in Athens (Official Transcript)	5/15/13	Bibber 111
12		UMDNJ (Transcript) School of Osteopathic Medicine (Transcript)	5/15/13, 1/27/16	Bibber 112-113, 119-122
13		Authorization for Release of Records – College Boards (SAT – College Board Report)	10/23/15	Bibber 16-29
14		Authorization for Release of Records – ETS (GRE – Transcript)	10/23/15	Bibber 6-15
15		Authorization for Release of Records – AAMC (MCAT – Transcript)	10/23/15	Bibber 1-5
16		Authorization for Release of Records – Rowan University (Unofficial transcript, COMAT)	2/25/16	NBOME 259-265
17		Bibber's Application for Admission to UMDNJ Medical School	2012	NBOME 266-304
18		Bibber's Request for Disability Service and Accommodations	7/26/13	NBOME 305-306
19		Communications with NBOME (emails)	Mar-Jun 2015	NBOME 204-210
20		NBOME – COMLEX-USA Bulletin of Information	2015-2016	Exh. 20
21		RowanSOM – Education Handbook [only cover page in Exhibit Binders]	Nov 14	Exh. 21

22		Dr. Bernier's Vita		Exh. 22
23		Dr. Bernier's Initial Report and Recommendation	3/14/15	NBOME 7-10, 74-77
24		Dr. Bernier's Second Report and Recommendation	5/24/15	NBOME 11-13
25		Dr. Bernier's Testing Accommodation Review	1/15/16	NBOME 18-24
26		Expert Report Dr. Bernier (NBOME Expert Disclosure per FRCP 26(a)(2)(B))	2/1/16	Exh. 26
27		Redacted TAC Meeting Minutes	3/25/15	NBOME 1-2
28		Redacted TAC Meeting Minutes	5/27/15	NBOME 3-4
29		Redacted TAC Meeting Minutes	6/17/15	NBOME 5-6
30		Redacted TAC Meeting Minutes	1/26/16	NBOME 259-260
31		Dr. Lovett's Document Review	6/12/15	NBOME 14-16
32		Dr. Lovett's Supplemental Document Review	1/18/15	NBOME 25-29
33		Weiner letter to SLS, with draft complaint	8/27/15	NBOME 145-169
34		SLS response letter to Weiner	8/31/15	NBOME 170-171
35		Colby College letter (Serdjenian)	2/29/16	Bibber 141
36		Bibber's COMSAE Scores	5/21/15	Bibber 139
37		Bibber's COMSAE Scores	12/31/15	Bibber 140
38		Rutgers Letter	9/10/15	
39		Dr. Thomas CV		Bibber 160-163
40		Dr. Greenberg CV	1/1/16	Bibber 142-149
41		Report of Dr. Greenberg (Bibber Expert Disclosure per FRCP 26(a)(2)(B))	2/12/16	Bibber 145, 123-138
42		Dr. Lovett CV (Abbreviated Consulting)	2/14/14	NBOME 273-278
43		Dr. Lovett Expert Report (NBOME Expert Disclosure per FRCP 26(a)(2)(B))	2/18/16	Exh. 43
44		TAC Policy Requests for Test Accommodations		NBOME 285-286
45		Dr. Andriole CV		NBOME 307-311
46		Dr. Dombrowski CV		NBOME 312-322

47		Dr. Foster CV		NBOME 323-330
48		Dr. Getz CV		NBOME 331-337
49		Dr. Gilroy CV		NBOME 338-340
50		Dr. Kemper CV		NBOME 341-348
51		Dr. King CV		NBOME 349-353
52		Dr. LaBaere CV		NBOME 354-361
53		Dr. Magen CV		NBOME 362-380
54		Dr. McCord CV		NBOME 381-386
55		Dr. Song CV		NBOME 387-393
56		Plaintiff's COMSAE performance data (untimed - redacted)	5/21/15	NBOME 394-398
57		Plaintiff's COMSAE performance data (timed - redacted)	12/31/15	NBOME 399-403
58		COMSAE Phase 1 Instructions		NBOME 404
59		Greenberg Consulting Agreement	2/1/15	Bibber 164

Defendant.

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Counsel for Plaintiff